

THE MARKS LAW FIRM, P.C.

May 1, 2024

Filed via ECF

Honorable Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007

RE: **Kirkpatrick Dunbar v. Mamba City Convenience Corp., et al.**
Index: 1:24-cv-01257-AS

Dear Judge Subramanian,

In accordance with Section 3(A) of your Honor's Individual Practices in Civil Cases, the parties jointly and respectfully request a sixty (60) day adjournment of the Pretrial Conference currently scheduled on May 28, 2024 to July 28, 2024, as set forth in Your Honor's February 22, 2024 Notice of Initial Pretrial Conference [Dkt. 5].

The reason for this request is that the parties engaged in substantive discussions regarding settlement of this action (including a meet and confer in accordance with Your Honor's Notice of Initial Pretrial Conference). The parties further discussed an informal exchange of photographs and pertinent documents related to the subject Premises. To that end, the parties have made significant progress towards resolution of all claims and respectfully request an immediate referral to the SDNY Mediation Program to assist the parties towards resolution, which would also preserve this Court's time and resources.

Accordingly, the parties jointly and respectfully request a sixty (60) day adjournment of the Pretrial Conference from May 28, 2024 to July 28, 2024 [Dkt. 5] and will provide this Court with a joint status report within seven days from the completion of mediation. This is the first request of its kind and is being made on consent of all appearing Defendants.

We thank you and the Court for its time and consideration on this matter.

The Court appreciates the parties' efforts and will refer the case to the mediation program. But the Court will not adjourn the conference. In advance of the conference, the parties must simply submit a letter and case-management plan. After those materials have been submitted, the Court will consider adjourning or canceling the conference. SO ORDERED.



Arun Subramanian, U.S.D.J.
Date: May 1, 2024